

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK:**

Return Date December 22, 2009

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IN RE:

Case No. 09-23194

Marvin Berger
Debtor

Chapter 13

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OPPOSITION TO MOTION TO DISMISS

I, Joshua N. Bleichman state that I have knowledge of the following and believe it to be true. I am counsel to the Debtor.

1. The Debtor filed a Chapter 13 on July 7, 2009.
2. The Chapter 13 Trustee has objected to the confirmation of the Debtors Chapter 13 plan stating that the plan is not feasible and questioning recent changes to debtor's petition
3. The debtor is currently going through a divorce and as such, his expenses have changed reflected in his amendments to schedules I and J.
4. Debtor's wife will be keeping the house and the debtor will be maintaining a separate household.
5. Debtor's income has decreased, as he no longer has his wife's income.
6. The Debtor is up to date with all payments to the Trustee
7. I urge this Court to allow my clients Chapter 13 plan to be confirmed and to allow him to pay his debts.

WHEREFORE, the Debtor respectfully requests that this Court enter an order denying the Chapter 13 Trustee's application and for such other and further relief as the Court may deem just and proper.

DATED: December 18, 2009
Spring Valley, NY

/s/ Joshua N. Bleichman
Joshua N. Bleichman
268 Route 59 West
Spring Valley, NY 10977
(845) 425-2510